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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,932	02/20/2002	Jeffery Scott Ward		1708

7590 03/31/2003
Jeffery Scott Ward
429 Hill Street
Parkersburg, WV 26104

EXAMINER

BLACKMAN, ROCHELLE ANN J

ART UNIT	PAPER NUMBER
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2851

DATE MAILED: 03/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/081,932

Applicant(s)

WARD, JEFFERY SCOTT

Examiner

Rochelle Blackman

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: _____

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities: The word "planer", which appears throughout the entire specification, for example, pg. 4, paragraph [0013], line 4, should be - -planar--. Throughout the entire specification, there are words that should be written in the single possessive form, for example, on pg. 7, paragraph [0029], line 2, "projections", should be - -projection's- -, and on pg. 9, paragraph [0037], line 9, "plates", should be - -plate's- -.

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Appropriate correction is required.

Claim Objections

Claims 1-11 are objected to because of the following informalities:

1. The word "planer", which appears throughout almost all of the claims, for example, in claim 1, line 5, should be - -planar- -. Throughout almost all of the claims, there are words that should be written in the single possessive form, for example, in claim 2, line 2, "plates", should be - -plate's- -and line 3, "handles", should be - -handle's- -.

2. Claim 10 recites the limitation "the hexagonal fastener head" in line 5 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Eberhardt, U.S. Patent No. 3,706,437.

Eberhardt discloses a "camera mount"(see FIGS. 1-3); a "rotatable support plate...defining a horizontal planar surface" and "at least vertical side extending from the support plate"(see 1 of FIGS. 1-3); a "clamping mechanism"(see 4, 7, 9, 10, and 14 of FIGS. 1 and 2) "adapted to be disposed upon square, rectangular, or round shaped shafts"(see 18 of FIGS. 1-2); an "angled control handle"(see 12 of FIG. 1); "means for attaching a camera to the support plate"(see 6 and 6' of FIGS. 1-3); and means for connecting the clamping mechanism to the support plate"(see 5 and 8 of FIGS. 1-3).

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Russo, U.S.

Patent No. 6,244,759.

Russo discloses a "camera mount"(see FIG. 1); a "rotatable support plate...defining a horizontal planar surface" and "at least vertical side extending from the support plate"(see 36 of FIG. 1); a "clamping mechanism adapted to be disposed upon square, rectangular, or round shaped shafts"(see 11 of FIG. 1); an "angled control handle"(see 38 of FIG. 1); "means for attaching a camera to the support plate"(see 37 of FIG. 1); and "means for connecting the clamping mechanism to the support plate"(see 12, 13, 14, 29, and 32 of FIG. 1).

Allowable Subject Matter

1. Claims 2-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

2. The following is a statement of reasons for the indication of allowable subject matter:

The prior art does not teach or suggest the limitations of claim 2, "support plate and angled handle...defining a lip around said support plate and angled handle's perimeter", in combination with the limitations of claim 1.

The prior art does not teach or suggest the limitations of claim 3 involving the “lip” and “cylindrical rib” in combination with the limitations of claim 1.

The prior art does not teach or suggest the limitations of claim 4 involving the “semi-spherical projection” in combination with the limitations of claim 1.

The prior art does not teach or suggest the limitations of claim 5 involving the “semi-spherical pivot” in combination with the limitations of claim 1.

The prior art does not teach or suggest the limitations of claim 6 involving the “upper clamping plate” in combination with the limitations of claim 1.

The prior art does not teach or suggest the limitations of claim 10 involving the “coaxial threaded knob” in combination with the limitations of claim 1.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rochelle Blackman whose telephone number is (703) 308-2879. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russell Adams can be reached on (703) 308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

RB

March 22, 2003


RUSSELL ADAMS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800